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5 JUAN CARLOS MARTINEZ CASTRO

6
7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE EASTERN DISTRICT OF CALIFORNIA

9 UNITED STATES OF AMERICA,) Case No. 2:19-cr-233 DAD
10)
Plaintiff,) STIPULATION AND ORDER TO CONTINUE
11 vs.) CHANGE OF PLEA HEARING, AND TO
12) EXCLUDE TIME
JUAN CARLOS MARTINEZ)
13 CASTRO, ET AL) Date: March 14, 2023
Time: 9:30 a.m.
14 Defendant.) Judge: Hon. Dale A. Drozd
_____)

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16 IT IS HEREBY STIPULATED by and between the parties hereto through their
17 respective counsel, U.S. Attorney Phillip A. Talbert, through Assistant United States Attorney
18 Justin Lee, attorney for Plaintiff, and Federal Defender Heather Williams, through Assistant
19 Federal Defender Hannah Labaree, attorney for defendant Juan Carlos Martinez Castro, that the
20 previously-scheduled change of plea hearing date of March 14, 2023, be vacated and the matter
21 be further set for a change of plea hearing on April 18, 2023 at 9:30 a.m., at the defendant's
22 request.

23 Counsel for Mr. Martinez Castro requires additional time to conduct investigation related
24 to sentencing exposure and immigration consequences of a conviction, to consult with her client
25 regarding the evidence and charges in this case, and to undertake other necessary preparations
26 for trial in the instance the case does not resolve in a plea. For these reasons, Defense counsel
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1 believes that the failure to grant the above-requested continuance would deny her the reasonable
2 time necessary for effective preparation, taking into account the exercise of due diligence.

3 Based upon the foregoing, the parties agree that time under the Speedy Trial Act should
4 be excluded from this order's date through and including April 18, 2023, pursuant to 18 U.S.C.
5 §3161 (h)(7)(A)and (B)(iv) (reasonable time to prepare), and General Order 479, Local Code T4,
6 based upon continuity of counsel and defense preparation.

7 Counsel and the defendants also agree that the ends of justice served by the Court
8 granting this continuance outweigh the best interests of the public and the defendant in a speedy
9 trial.

10 Respectfully submitted,

11 Dated: March 8, 2023

HEATHER E. WILLIAMS
Federal Defender

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13 /s/ Hannah Labaree
HANNAH LABAREE
Assistant Federal Defender
Attorney for Defendant
Juan Carlos Martinez Castro

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16 Dated: March 8, 2023

PHILLIP A. TALBERT
United States Attorney

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18 /s/Justin Lee
JUSTIN LEE
Assistant U.S. Attorney
Attorney for Plaintiff

ORDER

The Court, having received, read, and considered the parties' stipulation, and good cause appearing therefore, adopts the parties' stipulation in its entirety as its Order. The Court specifically finds the failure to grant a continuance in this case would deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The Court finds the ends of justice are served by granting the requested continuance and outweigh the best interests of the public and defendant in a speedy trial.

The Court orders the time from the date of this order, up to and including April 18, 2023, shall be excluded from computation of time within which the trial of this case must be commenced under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv) [reasonable time for counsel to prepare] and General Order 479, (Local Code T4). It is further ordered the March 14, 2023 change of plea hearing shall be continued until April 18, 2023, at 9:30 a.m.

IT IS SO ORDERED.

Dated: March 8, 2023


UNITED STATES DISTRICT JUDGE